

The complaint alleged further that despite the warnings conveyed to the defendant by the plant inspections, the defendant continued to introduce and deliver for introduction into interstate commerce drugs which were adulterated and misbranded as described above.

**DISPOSITION:** On August 14, 1952, the court entered a temporary restraining order, under which the defendant was temporarily restrained and enjoined from directly or indirectly introducing, or delivering for introduction into interstate commerce, drugs adulterated and misbranded in the manner complained of. On August 20, 1952, pursuant to a stipulation between the Government and the defendant, the court entered an order continuing the temporary restraining order in effect.

On December 21, 1953, upon consideration of a motion from the defendant showing that the drugs being shipped by the defendant were in compliance with the law in that such drugs were being manufactured under proper analytical and sterility controls, the court entered an order vacating the temporary restraining order and dismissing the complaint.

**4231. Adulteration and misbranding of Visnico tablets. U. S. v. 110 Bottles, etc.**  
(F. D. C. No. 35410. Sample No. 22865-L.)

**LIBEL FILED:** August 27, 1953, District of New Jersey.

**ALLEGED SHIPMENT:** On or about May 28, 1953, by the Bonded Laboratories, from Brooklyn, N. Y.

**PRODUCT:** 110 1,000-tablet bottles and 552 100-tablet bottles of *Visnico tablets* at East Orange, N. J.

**LABEL, IN PART:** (Bottle) "Pulvoids No. 500 Visnico (with Phenobarbital) Each Pulvoid Contains: \* \* \* Potassium Nitrate 2 grains Sodium Nitrite 1 grain."

**NATURE OF CHARGE:** Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess, namely, 2 grains of potassium nitrate and 1 grain of sodium nitrite per tablet.

Misbranding, Section 502 (a), the label statements "Potassium Nitrate 2 grains" and "Sodium Nitrite 1 grain" were false and misleading since the article contained less than the declared amounts of such ingredients.

**DISPOSITION:** October 1, 1953. Default decree of condemnation and destruction.

**4232. Adulteration and misbranding of lubricating jelly. U. S. v. 95 Cartoned Tubes \* \* \*. (F. D. C. No. 35448. Sample No. 42752-L.)**

**LIBEL FILED:** August 6, 1953, Northern District of California.

**ALLEGED SHIPMENT:** On or about May 6, 1953, by the Tablex Co., from New York, N. Y.

**PRODUCT:** 95 cartoned tubes of lubricating jelly at San Francisco, Calif.

**LABEL, IN PART:** "A non-greasy water soluble surgical lubricant lens lubricating jelly sterile."

**NATURE OF CHARGE:** Adulteration, Section 501 (c), the purity of the article fell below that which it purported and was represented to possess since it purported to be sterile when, in fact, it was not sterile.

Misbranding, Section 502 (a), the label statement "sterile" was false and misleading as applied to an article which was not sterile.